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SECURITY COUNCIL
Fiftieth year

Letter dated 17 November 1995 from the Permanent Representative of Slovenia to the United Nations addressed to the Secretary-General

I have the honour to transmit the letter dated 15 November 1995 from H.E. Mr. Zoran Thaler, Minister for Foreign Affairs of the Republic of Slovenia addressed to you (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda items 8 and 28, and of the Security Council.

(Signed) Dr. Danilo TÜRK
Ambassador
Permanent Representative of
Slovenia to the United Nations

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ANNEX

Letter dated 15 November 1995 from the Minister for Foreign Affairs of Slovenia to the Secretary-General

In the light of the latest developments regarding the settlement of the crisis in the Balkans, I should like to draw your attention to some issues regarding the succession of States which we are surprised to hear might be the subject of peace negotiations. Such development may have negative consequences for the interests of States that have not been involved in the war.

The position of the Republic of Slovenia is that succession issues should be resolved independently and separately from the peace process, and in a manner which would guarantee the successor States to the former Socialist Federal Republic of Yugoslavia equal status.

The Federal Republic of Yugoslavia (Serbia and Montenegro) is aggressively striving to gain recognition by the international community as the sole successor State, i.e., the State that would continue the international legitimacy of the former Socialist Federal Republic of Yugoslavia.

In this context, I should like to call your attention to Security Council resolution 777 (1992), which states "that the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist" and "that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations" and "should apply for membership in the United Nations". This has also been the opinion expressed by the Badinter arbitration commission of the International Conference on the Former Yugoslavia.

Slovenia is of the opinion that any departure from the Security Council's resolution and from the principles of equality of the successor States could being about adverse economic and political effects. Giving way to one party regarding the continuity of the former Federation would create the legal basis for increased pressures and demands on the side of the Federal Republic of Yugoslavia (Serbia and Montenegro) towards other successor States. This would cause new problems and frictions and could serve as a source of new conflicts.

The failure to respect one's own resolutions in the search for compromise solutions would be a very bad example and would erode the credibility of the United Nations, the Security Council and the Member States.

Slovenia is deeply concerned that, following the possible lifting of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), the common foreign exchange reserves and the properties abroad could remain in the final use of the Federal Republic of Yugoslavia (Serbia and Montenegro). That would be unacceptable.

Our concern is justified by the fact that the Federal Republic of Yugoslavia (Serbia and Montenegro) is laying claim to the release of financial assets abroad in order to cover its humanitarian requirements. Along with this

claim, the Federal Republic of Yugoslavia (Serbia and Montenegro) National Bank, established in 1993, is unlawfully presenting itself as the successor to the former "National Bank of the Socialist Federal Republic of Yugoslavia" and using the full powers of the former Yugoslav National Bank.

Should the sanctions be relaxed, Slovenia could only accept such a relaxation as would not encroach upon property, and particularly not on the financial assets of the former Socialist Federal Republic of Yugoslavia, which should remain frozen until the settlement of succession issues within the International Conference on the Former Yugoslavia. Financial sanctions are the most effective measure for the exertion of pressures on Belgrade and should continue to remain in force. Should the sanctions on non-strategic goods be relaxed, the International Federal Republic of Yugoslavia (Serbia and Montenegro) shall perform financial transactions only from and to new bank accounts.

(Signed) Z. THALER
Minister for Foreign Affairs
of the Republic of Slovenia